



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant: Margaretha Bakker, et al.

Serial No.: 10/539,708

Filed: December 30, 2005

For: 3 substituted 3,4-dihydro-thieno[2,3-D]pyrimidine-4-one-derivatives, production and use thereof


Attorney Docket No.: ABB10010P02080US

Examiner: Leaser, Erich A.

Group Art Unit: 1624

**Certificate of Mailing:**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent by first class mail to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on February 12, 2007.

  
Laura Czeck

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This Response to Restriction Requirement is in response to the Restriction Requirement mailed on December 12, 2006 in connection with the above-identified case.

Applicants herewith elect Group III (Claims 1-15 and 18 drawn to 3-Substituted 3,4-dihydrothieno[2,3-d]pyrimidin-4-one derivative compounds and compositions when  $A = NR^5$ ). Applicants further elect the compound of Example 9 as the elected species. Applicants expressly reserve the right to pursue non-elected claims in divisional applications. This election is made with traverse.

Irrespective of the meaning of A in formula (I), in all of the claimed compounds, R3 is a substituent which cannot be found in the corresponding position of the prior art compounds. Thus, there is a technical relationship among the inventions listed as groups I, II, III, and IV involving the same corresponding special technical feature, i.e. the meaning of R3 which defines a contribution over the prior art.